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Letter dated 1 March 2014 from the Permanent Representative of Luxembourg to the United Nations addressed to the Secretary-General

I have the honour to inform you that, under the presidency of Luxembourg, the Security Council will hold an open debate on "Children and armed conflict" on 7 March 2014. The objective of the open debate will be to encourage reflection on ways and means to make progress towards the full implementation of the children and armed conflict agenda.

In order to help steer the discussion on the subject, Luxembourg has prepared a concept note (see annex). I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Sylvie **Lucas**
Ambassador
Permanent Representative

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Annex to the letter dated 1 March 2014 from the Permanent Representative of Luxembourg to the United Nations addressed to the Secretary-General

[Original: English and French]

Concept Note

Security Council Open Debate on Children and Armed Conflict

Towards the full implementation of the agenda

[7 March 2014]

In the context of its presidency of the Security Council, Luxembourg will organize an open debate on Children and Armed Conflict on 7 March 2014. The objective of the open debate will be to encourage reflection on ways and means to make progress towards the full implementation of the "Children and Armed Conflict" agenda. The adoption of a new resolution on this issue is foreseen on this occasion.

Background

Fifteen years have passed since the adoption of resolution 1261 (1999), the first resolution specifically dedicated to children and armed conflict. Since then, this issue has been developed considerably, with the gradual establishment of a framework which has contributed to the liberation of thousands of children from armed forces and groups. While it was initially focused on the phenomenon of child soldiers, the agenda has evolved in a progressive manner, taking into account the widespread impact of conflicts on children and the variety of violations committed against them. In its resolution 1612 (2005), the Security Council thus enumerated six categories of violations — the six grave violations — which are used to gather evidence of violations committed against children. In parallel, the Security Council took note in that resolution of the establishment of a monitoring and reporting mechanism, which has a central place in the United Nations framework, together with the child protection advisers. It is this mechanism that is responsible for collecting and providing timely, objective, accurate and reliable information on the six grave violations committed against children in armed conflict.

This information is essential for the work of the Security Council and its Working Group on Children and Armed Conflict, in order to ensure respect for international norms on child protection, to hold parties to account and to bring them to end and prevent violations against children. Concrete and time-bound action plans are a unique tool in this regard. The conflict parties listed in the annexes to the annual report of the Secretary-General on children and armed conflict must elaborate and implement such action plans without delay, in collaboration with the United Nations. To date, 18 action plans have been signed between armed forces and groups and the United Nations.

Nevertheless, despite the undeniable success on the ground, which has been achieved through the joint efforts of Governments, the United Nations, the international community as a whole and civil society, tens of thousands of children continue to be recruited, killed or maimed, sexually abused or deprived of their right

to education and health care when schools and hospitals are attacked. As conflicts erupt, new parties appear on the lists of the annexes to the Secretary-General's report. Furthermore, 28 parties out of the 52 that are listed in the annexes to the Secretary-General's annual report on children and armed conflict meet the definition of persistent perpetrators, having been listed for at least five years.

Towards the full implementation of the agenda

The political will of the concerned States to end and prevent violations against children remains the precondition for any effective action.

However, political will alone is not enough. In order to protect children affected by armed conflict, human, financial and technical capacities must be commensurate with the needs on the ground. Capacity-building, including for the fight against impunity, thus plays an important role in the effective implementation of child protection measures. It is also imperative to mobilize sufficient resources for a sustainable and timely financing of the implementation of the action plans and related monitoring measures.

The dark chapter of child recruitment and use by Government forces can and must be closed. This objective seems within reach today. Indeed, the concerned Governments have clearly manifested their political will to protect children. This momentum, which encompasses both concerned parties and the international community, must be galvanized in order to allow for the full implementation of the "Children and Armed Conflict" agenda, from prevention to reintegration. The "Children, Not Soldiers" campaign of the United Nations Children's Fund (UNICEF) and the Special Representative of the Secretary-General for Children and Armed Conflict to end and prevent the recruitment and use of children by Government armed forces in conflict by 2016 aims to support this momentum. The campaign should mobilize the international community in order to accompany the concerned Governments in their efforts to comply with their international obligations. At the same time, we must not lose sight of the need to also mobilize efforts to end the recruitment and use of children by armed groups.

To prevent children from being recruited in the first place, a number of preventive measures can be envisaged, ranging from the establishment of a legal framework with provisions for the protection of children to the establishment of an age verification mechanism in recruitment procedures. Birth registration and birth certificates are also effective preventive measures. In parallel, in the context of security and justice sector reform, the development of investigative and prosecution capacities as well as the exclusion from amnesty laws of perpetrators of crimes against children would certainly have a deterrent effect and contribute to ending impunity for these crimes. Supporting national efforts, the United Nations should ensure that priority is given to issues concerning children affected by armed conflict in plans, programmes and strategies for post-conflict recovery and reconstruction.

Training and capacity-building for the personnel responsible for child protection in the field are of capital importance. In the context of peacekeeping operations, blue helmets are often the first to be confronted with children affected by armed conflict. The fate of these children depends to a large extent on the peacekeepers' capacity to manage this situation correctly. Therefore, peacekeepers must be given specific operational pre-deployment and in-mission training to enable them to tackle such situations and to make the right decisions.

Child protection advisers also have a central role to play in peacekeeping operations, peacebuilding missions and special political missions. They must be deployed in a consistent manner and the child protection capacities of the different missions must be reinforced.

Regional and subregional organizations and arrangements have a valuable contribution to make for the promotion and protection of children. This contribution deserves to be explored further and strengthened.

New challenges

In many conflict-affected countries throughout the world, national armed forces or armed groups use schools for military purposes, with negative consequences for children and their right to education. If schools are turned into barracks, into detention centres, into military training camps, into weapons depots or into military operations bases, they become legitimate military targets, putting the pupils in grave danger. In any event, the use of schools for military purposes deprives children of their legitimate right to education. This problem is often underestimated because it does not as such represent a violation of international humanitarian law. It is however a major challenge and merits consideration.

Issues for consideration

In the context of the open debate, Member States are invited to consider the following non-exhaustive list of questions:

- How can the concerned States best be supported to strengthen their capacity to protect children?
- How can the "Children, Not Soldiers" campaign of UNICEF and the Special Representative of the Secretary-General for Children and Armed Conflict best be supported?
- How can action plans be financed in both a flexible and predictable manner?
- What complementary role can regional and subregional organizations and arrangements play in the implementation of the "Children and Armed Conflict" agenda?
- What measures implemented at the national level for the protection of school infrastructures could be used as examples and best practices to replicate elsewhere?
- How can impunity be fought and perpetrators of grave violations against children brought to justice?

Participation and briefers

The open debate will be held at ministerial level and will be chaired by the Minister for Foreign and European Affairs of Luxembourg, Jean Asselborn. The Secretary-General, the Special Representative for Children and Armed Conflict, the Executive Director of UNICEF, and Mr. Alhaji Babah Sawaneh, who was abducted and forced to fight as a child soldier with the rebel forces in Sierra Leone, will brief the Council. The meeting will be open to the participation of non-Security Council members.